

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
12/01/05
5:30PM

ATTENDANCE: Randy Mackie, Greg Borgman, Clara Shepherd, Jon Rolewicz, Ed Simmons, John Warner

ABSENT:

EXCUSED: Nick Kroes

STAFF: Henry Faltinowski, Carmen Smith, Don LaBrenz, Jim Hoppus, Ken Murar, Mark Kincaid, Major Metcalf, Kevin Stier

GUESTS: Roger & Tracy Verway(500 Amity), Mark Ruegsegger(240 Mason), Herbert Grunau, First National Acceptance (512 E. Apple), Victor Sieradzki (487 W. Clay), neighbor Terry MacAllister, Francis Rozyski, Barb Kibbey

Meeting minutes: A motion was made by Randy Mackie and seconded by Clara Shepherd to approve the November minutes.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz

NAYES:

Clara Shepherd
Ed Simmons
John Warner

EXCUSED:

Nick Kroes

ABSENT:

Motion carried.

DANGEROUS BUILDING REVIEW CASES:

EN-050108 – 487 W. Clay – Victor Sieradzki, 487 W. Clay, Muskegon, MI 49441

Mr. Victor Sieradzki was present late after the case had been presented and did not ask permission to address the board.

Francis Rozyski who resides at 487 W. Clay stated she has known the family since the 1940's when they came from New York. She stated Mr. Sieradzki has given her shelter for 10 years and she has some value items she would like to save out of the home and wants to know of status of what's going to happen next. Greg Borgman stated she would have to work out those details with Mr. Sieradzki. Terry MacAllister whose address is 458 W. Webster addressed the board as he stated wearing two hats, that of vice-president of Muskegon Heritage Association and neighbor. He stated the mission of the Heritage Association is to preserve and restore and cannot condone condemnation that would result in the demolition of the structure located at 487 W. Clay. Mr. MacAllister stated if there is any way that does not result in the demolition of the said structure, the Association would be willing to use any resources available to restore the property. Mr. MacAllister said speaking from the standpoint of a neighbor who has lived at 458 W. Webster since 1974 stated frankly nothing has changed at 487 W. Clay from the 31 years he has lived there. He stated that it pains him personally that the structure would be demolished but unfortunately the structure suffers from the inability of the owner to do anything. He asked that the board consider the fact that drastic circumstances oftentimes require drastic remedies however they would like to define that. A neighbor and friend from 460 W. Clay, Barb Kibbey stated she has tried to help Mr. Sieradzki to get help to work on the structure. She stated she's seen homes in worst shape. She said Mr. Sieradzki has been through the depression and thus saves everything and is stubborn about removing anything. She said she feels the City of Muskegon should work together to improve the house cosmetically and not destroy a structure that has been here a long time. She stated Mr. Sieradzki needs to be able to trust in people and if worked with in the right way he would respond. She stated City of Muskegon should be focusing on cleaning up the environment, contaminated land and lakes and then focus on Mr. Sieradzki home. Mr. MacAllister spoke again as neighbor and stated that in the 31 years he's lived there that he's work with several organizations that have attempted to work with Mr. Sieradzki and he would not cooperate. He stated we are dealing with an individual who has given the finger to his neighbors, to the city and county and chooses to live the way he does. He stated there was an offer to buy the house in the 1980's that would allow Mr. Sieradzki to live there on condition the buyer restore the exterior and stated Mr. Sieradzki would have no part of it. He stated he feels there is no possibility of change.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

A motion was made by Randy Mackie and seconded by John Warner to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman Randy Mackie				Jon Rolewicz
		Nick Kroes		
Clara Shepherd Ed Simmons John Warner				

Motion carried.

EN-050104- 497 Catawba – Guadalupe Loera, 497 Catawba, Muskegon, MI 49442

No one was present to represent this case.

Mark Kincaid stated this case has been before board twice before Ms Loera in the recent past has stated she was real close to completion, the inspectors have been out to inspect to find she's not finish yet and extensions have been granted a few times.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

A motion was made by Randy Mackie and seconded by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>
Greg Borgman Randy Mackie Jon Rolewicz			
		Nick Kroes	
Clara Shepherd Ed Simmons John Warner			

Motion carried.

03-51 – 240 Mason – Mark Ruegsegger, 236 Mason, Muskegon, MI 49441

Mr. Mark Ruegsegger was present to represent the case.

Mr. Ruegsegger stated roof was inspected and was ok and he painted exterior. He hired a furnace contractor that will start in a couple of weeks but there's still more to go. Mark Kincaid said an inspection was conducted in September and exterior was 90% complete but could not do an interior inspection because of a lot of items in the building. Clara Shepherd asked what is house being used for. Mr. Ruegsegger stated he and his wife occupy one unit and his granddaughter the other and the downstairs was at one time a grocery store but he has used it for storage. Clara Shepherd said if plans are to use for other than living in it would need to go before zoning. Mr. Ruegsegger stated his plans are to use for a recreation room or another apartment. Greg Borgman suggested for him to come up with a plan and follow it. Ed Simmons stated case was first brought to HBA in 2003 and has been given more time and have not shown much progress. Clara Shepherd wanted to know if property had a certificate of compliance. Mark Kincaid said its not being rented at this time so doesn't require a certificate but did add its important Mr. Ruegsegger keep in touch with Inspections because if he had given them a timeline and let us know where you are you wouldn't be before board today.

Staff Recommendation: Table until January 2006 meeting, owner to provide timeline, pull necessary permits and schedule interior inspection.

Motion made by John Warner and seconded by Randy Mackie to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz

NAYES:

EXCUSED:

ABSENT:

Clara Shepherd
Ed Simmons
John Warner

Nick Kroes

Motion carried.

DANGEROUS BUILDING NEW CASES

EN-050110-500 Amity –Roger/Tracy Verway, 14787 Apple Dr., Fruitport, MI 49415

Roger and Tracy Verway were present to represent case.

Greg Borgman mentioned concern about work being done without permits and ask what their plans are. Clara Shepherd asked what the purpose for home. Tracy Verway stated they had just acquired home from his parents. Greg Borgman mentioned the house had been burned as how the pictures appear and would need to be rewired. Tracy Verway stated they were unaware of a fire at the structure. Greg Borgman showed pictures to the Verway's. Ken Murar stated when interior inspection was conducted the electrical 60% of the rough was complete and they are doing a fair job at it but have some things they need to change and finish but there were no signs of a structural fire. There has been a lot of work done without permits. He mentioned that 80% of the mechanical & plumbing was complete and it was explained it was important for them to get permits.

Staff Recommendation: Table until meeting in March 2006, get necessary permits, and schedule monthly progress inspections.

Motion approved by Randy Mackie and seconded by John Warner to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz

NAYES:

Clara Shepherd
Ed Simmons
John Warner

EXCUSED:

Nick Kroes

ABSENT:

Motion carried.

EN-050107- 512 E. Apple – Susan K. Touhy, 2214 Mills, Muskegon, MI 49445 and Roderick Johnson/Alyssa Johnson and Carolyn Culp-Holmes

Herbert Grunau was present from First National Acceptance Bank to represent case.

Mr. Grunau stated home is foreclosure but would not come into the possession of bank until January 2006. He stated he had not been inside the structure in a few years. Clara Shepherd asked what the intention was for home. Mr. Grunau stated they planned to cleanup it up and sell it. Clara Shepherd asked if he was aware of violation list which Mr. Grunau said no, a copy of list was provided for him to look at. Clara Shepherd mentioned option of putting up \$5000.00 and go to court to complete repairs.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

A motion was made by Clara Shepherd and seconded by Randy Mackie to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz

NAYES:

EXCUSED:

ABSENT:

Nick Kroes

Clara Shepherd
Ed Simmons
John Warner

Motion carried.

OLD BUSINESS:

NEW BUSINESS:

Clara Shepherd asked about 390 Catherine where graffiti has been written and gang slogans. Mark Kincaid said notices have been sent to owners to remove graffiti. Kevin Stier said that graffiti has been removed in the past two days. Don LaBrenz said he had Pete Vanderlaan do a exterior inspection but until we are allowed access we can't get inside. Randy Mackie asked about condition of exterior. Don LaBrenz stated as long as windows are not broken out we can't make them board it. Greg Borgman asked if there were any environmental issues. Kevin Stier said during warmers months drug dealers are hanging around. Clara Shepherd said home is a haven to young people stand around and deal drugs and is not appropriate.

Mark Kincaid stated the problem is if the house is secured and no obvious structural damage we can't declare it dangerous. Don LaBrenz said it's being watched and trying to make arrangements to get inside. Major Metcalf said by way of complaint of people getting inside or arson activity then he can get in. Don LaBrenz said the list of deficiencies was sent to owner and they are given around December 15th to complete repairs and if not complete will get a final notice and if they still don't follow thru owners would then be ticketed. Don LaBrenz stated it's not against the ordinance for a house to remain empty but if its boarded over 180 days then a we start the clock on it. He assured the board it's on the radar. Clara Shepherd said a list had been given to City Manager and Mark Kincaid said those addresses are being looked at. Greg Borgman asked about house on Sanford where roof has been ripped off but has a "for rent" sign posted and also asked about 1188 Monroe.

ADJOURNMENT: 6:30 P.M.

CITY OF MUSKEGON

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Gail Kunder, City Clerk
933 Terrace Street
Muskegon, MI 49443
(616) 724-6705 or TDD (616) 724-6773